

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

TYRONE R. JOHNSON,	:	Case No. 1:18-cv-43
Plaintiff,	:	
	:	Judge Timothy S. Black
vs.	:	Magistrate Judge Stephanie K. Bowman
	:	
MICHAEL HUMPHREY, <i>et al.</i> ,	:	
Defendants.	:	

**DECISION AND ENTRY
ADOPTING THE SUPPLEMENTAL REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE (Doc. 22)**

This case is before the Court pursuant to the Order of General Reference to United States Magistrate Judge Stephanie K. Bowman. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court and, on March 30, 2018, submitted a Report and Recommendation. (Doc. 18). Plaintiff filed objections to the Report and Recommendation setting forth new arguments not contained in his most recently amended complaint. (Doc. 20). Based on these objections, this Court ordered the matter recommitted to the Magistrate Judge for a supplemental Report and Recommendation. (Doc. 21). The supplemental Report and Recommendation was submitted on April 18, 2018. (Doc. 22). No objections were filed to the supplemental Report and Recommendation.

As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the filings in this matter. Upon consideration of the foregoing, the Court does


determine that the supplemental Report and Recommendation should be and is hereby **ADOPTED** in its entirety.

Accordingly, **IT IS ORDERED** as follows:

- 1) The claims against Defendant Osborne set forth in Plaintiff's "amended complaint" (Docs. 13, 20) are **DISMISSED WITH PREJUDICE**, with the exception of Plaintiff's claim of excessive force in violation of the Eighth Amendment against Defendant Osborne in his individual capacity.
- 2) Plaintiff's motions for a temporary restraining order and preliminary injunction (Docs. 16, 19) are **DENIED**.

IT IS SO ORDERED.

Date: 5/21/18



Timothy S. Black
United States District Judge